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COMMENTS:

Attached is a Response to Restriction Requirement for U.S. Patent Application Serial No. 09/917,177 filed July 27, 2001 -Title: SYSTEM AND METHOD FOR SCREENING INCOMING VIDEO COMMUNICATIONS WITHIN AN INTERACTIVE TELEVISION SYSTEM.

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Kory D. Christensen

Docket No. 4000.2.50 (50588/50)
Digeo Ref. 225

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Robert E. Novak et al.

Confirmation No. 9646

Application No. 09/917,177

Filed: July 27, 2001

For: **SYSTEM AND METHOD FOR
SCREENING INCOMING VIDEO
COMMUNICATION WITHIN AN
INTERACTIVE TELEVISION SYSTEM**

Group Art Unit: 2643

Examiner: Rexford N. Barnie

Date: October 5, 2004

RESPONSE TO RESTRICTION REQUIREMENT

TO THE COMMISSIONER FOR PATENTS:

In response to the Office Action mailed September 14, 2004, the applicants elect, with traverse, the claims of Group I. The applicants respectfully point out that claim 21 (Group II) only differs from claim 1 (Group I) in that the call screener is a third party rather than the intended recipient. The screener decides whether or not to accept the call on the basis of caller ID, just as the recipient does in claim 1.

While a video and/or audio connection may be established between the third-party call screener and the caller, the claims do not recite a three-way connection (*i.e.*, between the screener, the caller, and the recipient). Hence, claim 21 is not drawn to three-way calling in subclass 207.01 as the Examiner suggests. Rather, claim 21 should be drawn to subclass 142.05 (authentication or authorization) as in claim 1.

Similarly, claim 31 recites third-party call screening (not three-way calling), with the addition of pre-screening based on an unauthorized caller list. Claims 52 and 53 are system claims including similar limitations to those of claims 21 and 31, and are likewise believed to be drawn to the invention of Group I. Claim 61 is likewise also to be drawn to the invention of Group I because it is a means-plus-function version of claim 21.

Reconsideration of the Group I and II restriction is respectfully requested.

Respectfully submitted,

Digeo, Inc.

By


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